

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------------------------|---|---------------------------|
| Application of: |) | Docket No. 22299-RE1 |
| O'HALLORAN, Michael L., et al. |) | Customer No. 23589 |
| S.N. 10/765,029 |) | Group Art 3671 |
| Filed 1/26/2004 |) | Examiner Alicia M. Torres |
| Confirmation No. 1988 |) | |
| Reissue of Patent No. 5,463,852 |) | |
| Issued: November 7, 1995 |) | |
| WIDE CUT HARVESTER HAVING |) | |
| ROTARY CUTTER BED |) | |

Mail Stop Reissue

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION

BY THE ASSIGNEE

COMES NOW Garry L. Ball and declares as follows:

1. I am Senior Vice President Engineering of assignee AGCO Corporation and am authorized to act on its behalf. The entire title to U.S. Patent 5,463,852 issued November 7, 1995, and titled "Wide Cut Harvester Having Rotary Cutter Bed", which is the subject of this reissue application, is vested in AGCO Corporation as reflected in the Statement Under 37 C.F.R. 3.73(b) submitted with the reissue application as originally filed.

2. The residence, mailing address and citizenship of the inventors are as follows:

Michael L. O'Halloran, U.S. Citizen
124 South Roupp
Hesston, Kansas 67062

Cecil L. Case (deceased)

Martin E. Pruitt, U.S. Citizen
101 Meadow Lane
Hesston, Kansas 67062

David P. Fritz, U.S. Citizen
2125 SW Millers Glen Drive
Topeka, Kansas 66614

3. I believe the inventors noted above are the original and first inventors of the subject matter which is described and claimed in Patent 5,463,852 and in the present reissue application as amended by all amendments to date.

4. With the help of counsel I have reviewed and understand the contents of the above identified specification, including the claims, as amended by all amendments to date.

5. At least one error upon which reissue is based is described as follows:
Originally patented claim 65 is anticipated by DE 3224170 A1 which was not considered by the examiner during prosecution of patent 5,463,852. As a consequence, claim 65 is not seen as being patentable without the addition of the following limitations:

said cutter bed further including an elongated, transversely extending, generally flat,
hollow gear case below the cutters;
a pair of transversely extending, oppositely rotating conditioning rolls disposed within
and spanning said discharge opening above and behind the cutter bed for
conditioning crop materials received from the cutters,
said means for driving the end cutters including gears within said gear case; and
a pair of upright, generally cylindrical impellers outboard of each of said opposite ends of
the discharge opening,
each pair of said impellers being disposed higher than the cutters and rotatable in the

same direction as one another such that front extremities thereof move generally inwardly toward the discharge opening.

Furthermore, claim 65 needed to be further limited by specifying that the series of cutters includes a group of multiple pairs of intermediate cutters that are in front of and aligned with the discharge opening to distinguish over the art.

6. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56.

7. Every error in Patent 5,463,852 which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

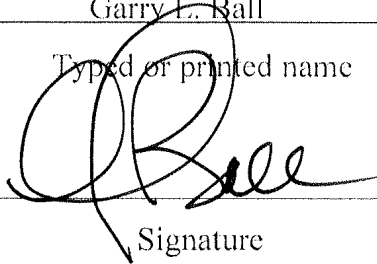
8. I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sept 15, 2008

Date

Garry L. Ball

Typed or printed name



Signature

Senior Vice President Engineering

Title